



Appeal Decision

Site visit made on 4 July 2017

by **C J Ball** DArch DCons RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 July 2017

Appeal Ref: APP/D0840/W/17/3172344

Ferry Farm, Harewood, Calstock, Cornwall PL18 9SQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs M Finch against the decision of Cornwall Council.
 - The application Ref PA16/10287, dated 1 November 2016, was refused by notice dated 13 December 2016.
 - The development proposed is the use of land for the siting of 2 shepherds huts for holiday use, together with parking and drainage arrangements.
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Decision

1. The appeal is dismissed.

Main issue

2. Whether this is an acceptable location for the proposed tourism development.

Reasons

3. Ferry Farm, acquired by the appellants in 2011, has no more than 36 acres (14.56 Ha) of productive pasture land. The appellants confirm that the current proceeds of sheep farming, hay sales, CAP payments and stewardship grants are not enough to provide a self-sufficient income. To remedy this they intend to increase the breeding flock, selling stock and meat, and to diversify into tourist accommodation. The proposal entails the change of use of 0.2 Ha of agricultural land for residential purposes, albeit all year round holiday accommodation. The appellants propose the stationing on the land of 2 self-contained shepherd's huts, each with an external sitting out area, together with a separate parking area.
4. The site is located in open countryside on the western bank of the River Tamar, just over 1 mile (1.6 Km) from Calstock. It is at the heart of the Tamar Valley part of the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and lies immediately opposite the historic mining settlement and port of Morwellham, a Scheduled Ancient Monument (SAM) and a significant attribute of the WHS. The site also lies within the Tamar Valley Area of Outstanding Natural Beauty (AONB), characterised by the undeveloped fields and wooded hillsides which flank the sinuous bends and loops of the river. This dramatic landscape, created by its strong river valley landform and historic land use, contributes significantly to the Outstanding Universal Value of the WHS.
5. The statutory purpose of the AONB designation is to conserve and enhance the area's natural beauty, and AONB's have the highest status of protection in

relation to landscape and scenic beauty. Furthermore as National Planning Policy Framework paragraph 126 explains, heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. Framework 132 makes it clear that, when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation - the more important the asset, the greater the weight should be. Significance can be harmed through alteration of the asset or development within its setting. As heritage assets are irreplaceable, any harm should require clear and convincing justification.

6. The Cornwall and West Devon Mining Landscape WHS and Morwellham SAM are both designated heritage assets of the highest significance. Their setting here within the AONB landscape, in part formed by historic mining activities, makes a crucial contribution to their special character and significance. The site is part of the WHS and lies within the setting of the SAM - a key attribute of the WHS - and within the AONB. It is therefore in a particularly sensitive location.
7. The change of use of agricultural land to residential, including holiday accommodation, runs entirely counter to national and local planning policies intended to protect valued countryside. Nonetheless, Framework 28 supports sustainable rural tourism in appropriate locations which respect the character of the countryside. A key objective of the recently adopted Cornwall Local Plan (CLP) is to promote Cornwall as a year-round destination for tourism and recreation, recognising that it is the quality of the county's landscapes and cultural heritage that enable tourism to play a major economic role. CLP policy 5 supports the provision of new, high quality sustainable tourism facilities where they would be of an appropriate scale to their location and accessible by a range of transport modes. CLP policy 23 indicates that small scale proposals within the AONB must provide only for an identified local need and be appropriately located to address the AONB's sensitivity.
8. Calstock has reasonable road connections, a branch line railway station and bus services so that a range of transport modes to the locality is available. However, the 1.6 km of rural roads and lanes between the village centre and the site are hilly, narrow and unlit, with no footways. Walking or cycling between the village and the site could feel unsafe and would not be attractive and, while the appellants may offer a pick-up service, I consider it inevitable that the vast majority of visitors would arrive by private car and use it to get to the village centre and around the local area. Locating new holiday accommodation here would not readily facilitate the use of sustainable transport modes and I do not consider this to be a particularly sustainable location for new tourism development, contrary to the aims of CLP policy 5.
9. The proposal for 2 shepherd's huts is clearly small-scale but, while there might currently be a demand for such accommodation, and taking account of the support for rural tourism, that does not equate to an identified local need. The undeveloped valley hillsides which flank the river are a key characteristic of the AONB landscape and, despite screening, new tourism development on the undeveloped slope would not conserve the natural scenic beauty of the AONB. Contrary to the requirements of CLP policy 23 and the objectives of the Tamar Valley AONB Management Plan, this is not a location where development of tourist accommodation would respect the distinctive character of a particularly sensitive landscape.

10. There is archaeological evidence at Ferry Farm of both mining and the production of timber and charcoal for the mining industry so it is clear that the valley slopes are an integral part of the WHS. Siting new residential holiday development here would seriously undermine the historical authenticity, integrity and historic character of the WHS, diminishing its Outstanding Universal Value. Similarly, development on the open hillside would significantly reduce the quality of the distinctive mining landscape setting of the SAM.
11. Views of the site from the SAM would largely be screened. However, the significance that the SAM derives from its setting does not depend solely on visibility but extends to the historical, social and economic connections between the SAM and the river valley and an understanding of the historic relationship between places and land uses. I consider that the proposal would harm the significance that, for these reasons, the SAM derives from its setting. Overall the proposal would conflict with CLP policy 24, the aims of the WHS Management Plan and the Framework guidance.
12. I therefore find that the proposed use of land for a new residential tourism development within the WHS and within the setting of the SAM would harm the significance of these heritage assets. Given the small scale of the development within the WHS and the fact that it would have no direct impact on the SAM, my assessment is that the harm would be less than substantial.
13. Framework 132 confirms that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. 'Less than substantial' does not necessarily mean insignificant and each incidence of harm, as a matter of law, must be given considerable importance and weight. Together, these 2 incidences of harm carry significant weight in the overall planning balance.
14. The proposal may result in considerable private benefits for the appellants but its public benefits would be limited to a relatively small addition to Cornwall's tourism offer and a limited contribution to the local economy. The Cornwall and West Devon Mining Landscape WHS is an exceptional place of international significance and the landscape of the Tamar Valley AONB contributes significantly to its value. On balance, giving considerable weight to the harm identified to highly important heritage assets, I consider that the public benefits of the proposal do not outweigh that harm. Accordingly I find no clear and convincing justification for the harm that would be caused to the significance of designated heritage assets.
15. I therefore consider that this is not an acceptable location for the proposed tourism development. The proposal would conflict with local development plan policies and national guidance intended to direct development to appropriate locations, to protect valued countryside and to safeguard the historic environment. The benefits of the proposal do not outweigh the harm it would cause and there are no material considerations that might indicate otherwise. For the reasons given above I conclude that the appeal should be dismissed.

Colin Ball

Inspector